
STATUTORY INSTRUMENTS

1987 No. 370

NATIONAL ASSISTANCE SERVICES

**The National Assistance (Charges for
Accommodation) Regulations 1987**

<i>Made</i>	- - - -	<i>9th March 1987</i>
<i>Laid before Parliament</i>		<i>16th March 1987</i>
<i>Coming into force</i>	- -	<i>6th April 1987</i>

The Secretary of State for Social Services, in exercise of the powers conferred by section 22(3) and (4) of the National Assistance Act 1948⁽¹⁾ and now vested in him⁽²⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Assistance (Charges for Accommodation) Regulations 1987 and shall come into force on 6th April 1987.

(2) In these Regulations—

“the Act” means the National Assistance Act 1948;

“Personal Injuries Scheme”, “Service Pensions Instrument” and “1914—18 War Injuries Scheme” have the same meanings as in the Social Security (Overlapping Benefits) Regulations 1979⁽³⁾.

Minimum charges

2.—(1) Subject to paragraph (2), the sum below which there is in no case to be reduced the liability of a person under section 22(3) of the Act to pay for accommodation provided, or proposed to be provided, for him under Part III of the Act in premises managed by a local authority shall be £31.60 per week.

(2) Where the accommodation is provided for a child accompanied by a person over the age of 16, then in respect of the child the sum below which the liability (which, under section 22(7)(a) of the Act, is that of the person by whom the child is accompanied) is not to be reduced shall be—

(a) where the child is aged at least 11 years but under the age of 16, £15.60 per week;

⁽¹⁾ 1948 c. 29; section 22(3) was amended by paragraph 3(a) of Schedule 7 to the Supplementary Benefits Act 1976 (c. 71).

⁽²⁾ See the Secretary of State for Social Services Order 1968, S.I. 1968/1699, article 2.

⁽³⁾ S.I. 1979/597; the relevant amending instrument is S.I. 1980/1927.

- (b) where the child is under the age of 11 years, £10.40 per week.

Sum needed for personal requirements

3. The sum which a local authority is under section 22(4) of the Act to assume that a person needs for his personal requirements shall be £7.90 per week except that in the case of a person to whom there is payable—

- (a) attendance allowance under the provisions of section 35 of the Social Security Act 1975(4); or
- (b) constant attendance allowance under any Personal Injuries Scheme, Service Pensions Instrument or any 1914—18 War Injuries Scheme,

that sum shall in respect of each week the allowance is payable be increased by the amount so payable.

Revocation

4. The National Assistance (Charges for Accommodation) Regulations 1986(5) are hereby revoked.

Signed by authority of the Secretary of State for Social Services.

9th March 1987

Tony Newton
Minister of State,
Department of Health and Social Security

(4) 1975 c. 14; in section 35, subsections (2)(b), (3) and (4)(a) were amended, and subsections (2A) and (5A) inserted, by section 2 of the Social Security Act 1979 (c. 18); subsection (4A) was inserted by paragraph 8 of Schedule 1 to the Social Security Act 1980 (c. 30); and subsection (6)(a) was amended by paragraph 63 of Schedule 15 to the National Health Service Act 1977 (c. 49).

(5) S.I. 1986/861.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supersede, with effect from 6th April 1987, the National Assistance (Charges for Accommodation) Regulations 1986. The minimum weekly amount which a person is required to pay for accommodation managed by a local authority under Part III of the National Assistance Act 1948 is increased from £30.95 to £31.60; in the case of a child accompanied by a person aged over 16 the increase is from £15.30 to £15.60 if the child is aged at least 11 but is under 16 and from £10.20 to £10.40 if he is under 11 (regulation 2). The weekly sum which in assessing a person's ability to pay for such accommodation a local authority is, in the absence of special circumstances, to assume will be needed for personal requirements is increased from £7.75 to £7.90 (in addition to the amount of attendance, or constant attendance allowance where this is payable) (regulation 3).